

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 954 of 2021

Toran Chandel, S/o Taracand Chandel, Aged About 22 Years, R/o
Bharengabhantha, P.S. Abhanpur, District- Raipur (C.G.)

--- Applicant

Versus

State of Chhattisgarh, Through: Station House Officer, Police Station
Abhanpur, District- Raipur (C.G.)

--- Respondent

For Applicant	:	Mr. Rekhraj Baghel, Advocate.
For State/ Respondent	:	Mr. Afroj Khan, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

09/02/2021

1. Heard on admission.
2. Admit.
3. Learned State counsel submits that the case diary is available.
4. Both the counsel have agreed to make their submissions.
5. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant, who has been arrested in connection with Crime No. 469/2020, registered at Police Station- Abhanpur, District- Raipur (C.G.) for the offence punishable under Section 354, 294, 506 of IPC and Section 8 of the Protection of Children from Sexual

Offences Act, 2012.

6. Learned counsel for the applicant submits that the applicant is in jail since 12.12.2020 and has been falsely implicated in this case on account of enmity with the family of the victim. No such offence has been committed by the applicant, as alleged by the prosecution side. No case is made out against this applicant. Hence, it is prayed that this applicant may be enlarged on bail.
7. On the other hand, learned counsel for the State opposes the bail application submitting that there is statement that the applicant made attempt to rape the minor victim, therefore, no case is made out for grant of bail to the applicant. Hence, the application for grant of bail may be rejected.
8. Heard counsel for both the parties and perused the records.
9. The case of the prosecution is this, that on the date of incident, the applicant arrived on the spot, where, the minor victim was present and then, he started threatening by making statement that if she does not marry him, he will kill her and at the same time, by use of physical force, outraged the modesty of the minor victim and also raped her.
10. Considered on the submissions and the facts present in this case. The charge-sheet has been filed after completion of investigation and there is no specific reason available for continued detention of the applicant. For these reasons, I am of this view that it would be proper to release the applicant on bail, hence, I feel inclined to grant bail to the applicant in this case.

11. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
12. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs. 25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Certified copy, as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Arun